

UTILITIES SERVICE BOARD MEETING  
June 26, 2006

UTILITIES SERVICE BOARD MEETINGS ARE RECORDED ELECTRONICALLY OR STENOGRAPHICALLY AND ARE AVAILABLE DURING REGULAR BUSINESS HOURS IN THE OFFICE OF THE DIRECTOR OF UTILITIES.

Board Vice President Henke called the regular meeting of the Utilities Service Board to order at 5:05 p.m. The meeting was held in Conference Room 100B at the Indiana University Research Park at 501 North Morton Street in Bloomington, Indiana.

Board members present: Julie Roberts, Susan Sandberg, Sam Vaught, Tim Mayer, Jeff Ehman and Tim Henke. Staff members present: Patrick Murphy, Tom Staley, Vickie Renfrow, Michael Horstman, Mike Trexler, Patrick Stoffers, John Langley, Mike Bengtson, Mike Hicks, Nathan Schulte, Ryan Feters, Adam Reid, Gavin Merriman and Adam Wason. Others present: Sarah Morin representing the Herald Times, Margaret Fette representing the Libertarian Party, Ben Beard representing Gentry Estates and Phil Tapp representing Blackwell Construction.

MINUTES

BOARD MEMBER EHMAN MOVED AND BOARD MEMBER VAUGHT SECONDED THE MOTION TO APPROVE THE MINUTES OF THE MAY 30, 2006, MEETING. MOTION CARRIED. 6 AYES, 3 MEMBERS ABSENT, (WHIKEHART, SWAFFORD & MICUDA).

BOARD MEMBER VAUGHT MOVED AND BOARD MEMBER SANDBERG SECONDED THE MOTION TO APPROVE THE MINUTES OF THE JUNE 12, 2006, MEETING. MOTION CARRIED. 6 AYES, 3 MEMBERS ABSENT, (WHIKEHART, SWAFFORD & MICUDA).

CLAIMS

BOARDMEMBER EHMAN MOVED AND BOARDMEMBER VAUGHT SECONDED THE MOTION TO APPROVE THE CLAIMS AS FOLLOWS:

CLAIMS 0690807 THROUGH 0690892 INCLUDING \$185,748.37 FROM THE WATER OPERATIONS & MAINTENANCE FUND, \$32,000.00 FROM THE WATER CONSTRUCTION FUND AND \$1,241,058.04 FROM THE WATER SINKING FUND FOR A TOTAL OF \$1,458,806.41 FROM THE WATER UTILITY; CLAIMS 0630540 THROUGH 0630604 INCLUDING \$93,495.06 FROM THE WASTEWATER OPERATIONS & MAINTENANCE FUND, \$32,000.00 FROM THE WASTEWATER CONSTRUCTION FUND AND \$864,469.05 FROM THE WASTEWATER SINKING FUND FOR A TOTAL OF \$989,964.11 FROM THE WASTEWATER UTILITY; AND CLAIM 0670040 FOR A TOTAL OF \$12,782.70 FROM THE WASTEWATER/ STORMWATER UTILITY. TOTAL CLAIMS APPROVED – \$2,461,553.22.

Board member Whikehart arrived at this time.

Board member Sandberg asked about claim number 0630581 and several others for Bloomington Hospital. She wondered if it was for worker safety. Deputy Director Langley replied that it was a lung function test to determine if a person could safely use respirator equipment.

Board member Ehman asked about claim number 0630565 which was for a legal notice for a public hearing for Dillman Road WWTP. Utilities Director Murphy said that this was for two different public hearings, one for the Dillman Road Headworks PER and the other is for the Dillman Road Disinfection and Dechlorination PER.

Board member Ehman then asked about claim number 0690834 which was for the monthly testing for Giardia and Cryptosporidium. He wanted to know about the results from those. Deputy Director Langley said that both tested at low enough levels to not cause any regulatory scrutiny. Because of that CUD will be given a classification of one which requires the lowest level of testing.

Board member Vaught asked about claim 0690879 for the State of Indiana for the water that CUD buys from them. He wanted to know what percentage of the water purchased is re-sold by the Utilities. Deputy Director of Engineering Bengtson said that a certain amount of water is lost through the backwashing of filters. Some processed water is also rejected. Mr. Bengtson guessed that would be about 1 mgd. Mr. Vaught asked what the percentage of billed water is to the water purchased. Mr. Langley said someone would get that information for Mr. Vaught.

Board member Henke asked that the USB be kept informed about the amount of water being pumped during the summer.

MOTION CARRIED. 7 AYES, 2 MEMBERS ABSENT, (SWAFFORD AND MICUDA).

WIRE TRANSFERS AND FEES FOR THE MONTH OF MAY 2006:

BOARD MEMBER VAUGHT MOVED AND BOARD MEMBER EHMAN SECONDED THE MOTION TO APPROVE THE WIRE TRANSFERS AND FEES FOR THE MONTH OF MAY 2006 IN THE AMOUNT OF \$542,769.36.

MOTION CARRIED. 7 AYES. 2 MEMBERS ABSENT (SWAFFORD AND MICUDA).

APPROVAL OF THE ILLICIT CONNECTION AND DISCHARGE ORDINANCE:

Attorney Renfrow with the City of Bloomington Legal Department said that this ordinance will be brought to the City Council and has to do with bringing the Utilities into compliance with Federal Regulations regarding storm water quality and maintenance issues. She read a memo that she had composed for the City Council's review. The memo is attached to these minutes.

Board member Ehman asked about wastes and residues resulting from construction. He wondered if that included soils, suspended sediments or clays in colloidal form. Ms. Renfrow replied that it did and that by the end of the summer an erosion control ordinance will be brought forward that will deal more specifically with these kinds of storm water issues.

Mr. Ehman also asked if animal wastes in people's yards are covered by this ordinance. Ms. Renfrow said that businesses such as kennels that perform flushing operations then let the run off enter the storm water would be regulated but regulations about wastes on individual's lawns would not be enforced at this time. Utilities Director Murphy said that this issue would be better handled through public education.

Board member Ehman then asked how far upstream the definition of watercourse applies. Ms. Renfrow said that that term is specifically defined in the Indiana Code. There is a distinction in that a drain or swale or anything of that sort must be publicly owned rather than private.

Mr. Ehman asked if it wouldn't be possible to increase the amount of the fine for repeat offenders. Ms. Renfrow pointed out that offenders may be charged for clean up and abatement of the violation which can be a very significant amount.

Finally Mr. Ehman asked if there would be a new ordinance that deals with storm water entering the wastewater collection system. Mr. Langley said that that is included in the Pre-Treatment Ordinance.

Board member Mayer asked if a property owner were to cut their grass and blow it into the street would they be in violation of this ordinance. Ms. Renfrow replied that technically they would be.

Mr. Henke also noted that in several places the ordinance requires that the Mayor designate in writing the authorized enforcement agency. He asked if that would be the USB. Mr. Renfrow agreed that it would.

Mr. Henke pointed out that there is a segment of the ordinance that states that the City will identify best management practices. Ms. Renfrow said that that is a part of the project that is underway with Commonwealth. They are putting together a draft of best management practices. Mr. Henke suggested that it would be a good project for the public to see.

Board member Roberts asked if this is an unfunded mandate and if there is a plan to educate the public about this. Ms. Renfrow confirmed both questions.

BOARD MEMBER EHMAN MOVED AND BOARD MEMBER SANDBERG SECONDED THE MOTION TO APPROVE THE ILLICIT CONNECTION AND DISCHARGE ORDINANCE. MOTION CARRIED. 7 AYES. 2 MEMBERS ABSENT, (SWAFFORD AND MICUDA)

#### APPROVAL OF THE PRETREATMENT ORDINANCE:

Deputy Director Langley explained that he is requesting approval for two different items. One is the Sewer Use Ordinance. The second is an Enforcement Response Guide that accompanies the Pre-Treatment Ordinance. It allows for a range of ways to bring people into compliance with the ordinance. When a new NPDES permit is issued the Clean Water Act requires the Utility to review it's existing pre-treatment ordinance and program to see if it is in compliance with the federal law. Local effluent limitations had to be reviewed to see if they were protective of the plant, the receiving stream and employees. It was also necessary to verify that all the requirements of the National Domestic Sewage Study and the Pre-Treatment Implementation Review Task Force requirements were met. This information was submitted to the EPA for approval in March, 2005. EPA approved the new ordinance without comment in March, 2006. During the past year data has been reviewed to determine if any pre-existing industry would have difficulty meeting the requirements of the ordinance. It was determined that none of the currently permitted industries would have difficulty complying with the new effluent guide lines.

Mr. Langley said that with pre-treatment the intent of an offender is most important. If offenders are willing to work towards a solution the Utilities staff is very willing to work with them. It's when people close the door on the staff that the enforcement procedures are used. Since 1987 he has only had to issue one fine.

BOARD MEMBER SANDBERG MOVED AND BOARD MEMBER EHMAN SECONDED THE MOTION TO APPROVE THE PRETREATMENT ORDINANCE. MOTION CARRIED. 6 AYES. 2 MEMBERS ABSENT, (SWAFFORD AND MICUDA).

#### APPROVAL OF CITY OF BLOOMINGTON UTILITIES DEPARTMENT'S CAPITAL ASSETS POLICY:

Finance Manager Stoffers explained that the State Board of Accounts requires that the Utilities Department have a Capital Assets Policy. The policy that the USB is being asked to adopt is a customized version of the policy that the Civil City has. All city references were replaced with CBU

and references to the Controller were replaced with Director of Finance. Some assets were removed and others such as water hydrants, water mains, sewer interceptors, sewer mains, lift stations and man holes were added.

Board member Ehman asked how the staff was coming with putting together a list of all the properties owned by CUD. There followed some discussion about whether or not this task should be pursued. No final decision was made.

Board member Henke asked how assets that are acquired on a daily basis are valued. Mr. Stoffers responded that they are valued at their actual cost.

BOARD MEMBER VAUGHT MOVED AND BOARD MEMBER ROBERTS SECONDED THE MOTION TO APPROVE THE CITY OF BLOOMINGTON UTILITIES DEPARTMENT'S CAPITAL ASSETS POLICY. MOTION CARRIED. 6 AYES. 2 MEMBERS ABSENT, (SWAFFORD AND MICUDA).

#### OLD BUSINESS:

No old business was presented.

#### NEW BUSINESS:

No new business was presented.

#### SUBCOMMITTEE REPORTS:

Board member Henke asked that the USB be provided with regular Financial Statements.

#### STAFF REPORTS:

Assistant Director of Engineering Bengtson gave the USB an update on the Monroe Water Treatment Plant Improvements. He said that the new chemical feed systems are being used successfully so Danis is now getting ready to demolish the old chemical feed system.

#### PETITIONS AND COMMUNICATIONS:

Ben Beard of Gentry Estates asked how the staff is coming along in preparing maps for sewer extensions. Assistant Director of Engineering Bengtson said that GIS Coordinator Chris Clothier has been working on superimposing the County's development maps on the City's sewer capacity maps.

Board member Roberts asked if the maps will be presented to the Engineering Subcommittee. Utilities Director Murphy replied that they would be but first some input from Planning Director Micuda would be required.

Board member Ehman asked that a timetable be prepared for the next board meeting to show when the maps might be expected to be completed.

Board member Henke commented that there may be times when a certain kind of development can improve a situation such as eliminating a lift station. He asked that that information also be made available.

Mr. Henke mentioned that there will ultimately be written rules along with the maps. He expects that Attorney Renfrow will be able to start working on the Rules in July.

Mr. Beard said that he believes that when the County presented the maps they weren't just indicating where they would like development to go. They were saying that certain areas are appropriate for sewers whether they come from Utilities or are package treatment plants.

Mr. Henke commented that he had attended the County's meetings and another very interested partner in this project is the County Health Department which has concerns about failed septs.

ADJOURNMENT:

The meeting was adjourned at 6:15 p.m.

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L. Thomas Swafford, President